IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 10723 of 1996

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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ROBERT D CHAKRAVARTI/CHRISTIAN - Petitioner(s)
Versus
GUJARAT STATE CO-OP. UNION SAHYOG & 3 - Respondent(s)

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Appearance :
M/S ANAND ADVOCATES for Petitioner(s) : 1,
MR AK CLERK for Respondent(s) : 1 - 2.
MR GM JOSHI for Respondent(s) : 3 - 4.

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH
Date : 08/11/2006

ORAL JUDGMENT

By way of this petition under Article 226 of the Constitution of India, the petitioner has challenged the legality and validity of order passed by the respondent authority dated 29th

March 1996 in compulsorily retiring the petitioner.

2. Today, when the matter is called out, Shri AK Clerk, learned advocate appearing for the petitioner has produced on record one xerox copy of notice of the Labour Court, Ahmedabad along with statement of claim filed by the petitioner in that Court in Reference LCA No. 816 of 1998 wherein the petitioner has also challenged the very order of compulsory retirement dated 1.4.1996. The said notice and statement of claim are directed to be taken on record. When the petitioner has already availed of another remedy by way of Reference LCA No. 816 of 1998 and the petitioner has also not disclosed the same, this petition is not entertained and is dismissed. Rule is discharged. No costs.

[M.R. Shah, J.]

rmr.